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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,197	07/16/2001	Sami Nuutinen	P 282647	3048
909	7590	11/02/2004	2990210US/W/HER	
PILLSBURY WINTHROP, LLP			EXAMINER	
P.O. BOX 10500			TRINH, MINH N	
MCLEAN, VA 22102			ART UNIT	PAPER NUMBER

3729

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/905,197

Applicant(s)

NUUTINEN, SAMI

Examiner

Minh Trinh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 August 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 10,12-17,19 and 20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 10,12-17,19 and 20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

2. Claims 11-12 and 18-20 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The following are examples.

It is not known whether "a circuit board of a plug in unit" is a part of the claimed "a noise suppressor unit". It appears that it is not a part of the claimed "noise suppressor" as shown in Fig. 7. Please clarify.

"the circuit board of the power source module"(claim 10, line 15) lacks proper antecedent basis.

The scope of claim 12 is not clear since the claims directed to a noise suppressor (see claim 10) but not an assembly head of an automatic assembly machine because it is not apart of the claimed subject matter. Also, the limitation recites: "is configured to be gripped by" (claim 12, line 2, and "that is configured to place " (claim 12., line 3) are not further limit the claimed structure limitations. , etc.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

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(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims 10, 12-17, 19 and 20 as best understood are rejected under 35

U.S.C. 102(b) as being anticipated by Kiesel et al (US 4,623,865).

Kiesel et al teach the claimed electrical device or suppressor unit comprising: a holder 22 having a bottom surface adapted for holding the common mode choke or coil 8, a lifting element 22 (see Fig. 1); a surface mounting element 25 (see Fig.1), the lifting element having a lifting surface associated therefrom (see Fig. 4). It is noted that Kiesel et al disclose a lifting element 22 having the configuration as described above (see Fig. 4, depicts the holder 23 having a projecting 22 at its center).

Limitations of claims 12-14 are also met by Kiesel et al (see Fig. 4) including at least a mounting element such as pin 25 being arranged in an opening of the holder as (see Fig. 4 being arranged in the opening of the holder).

As applied to claims 15, 16 and 17, Kiesel's Fig. 1 and 4 discloses the at least one surface mounting element comprising a surface mounting foot being partially embedded in the holder and the bottom of the holder is substantially even, etc.

Limitations of claims 19 and 20 are also met by the prior art references (i.e., see Fig. 4 of Kiesel et al depicts that a lifting element 22 having a grip surface being substantially even, and that the holder and the lifting element are being parallel).

Response to Arguments

5. Applicant's arguments with respect to pending claims have been considered but are moot in view of the new ground(s) of rejection.

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Prior Art References


6. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Prior art references are cited for their teaching of electrical device or sensor unit i.e., inductor coil, transformer, or the like, etc.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Minh Trinh whose telephone number is (703) 305-2887. The examiner can normally be reached on Monday -Thursday 8:00 am to 4:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Peter Vo can be reached on (703) 308-1789. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7307 for regular communications and (703) 305-3579 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1148.


Minh Trinh, Patent Examiner
Group 3729

10/28/04

mt